

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reply under 37 CFR §1.116 - Expedited Procedure - Technology Center 1600

In re application of: Emerson

Application No. 09/781,592

Filed: February 12, 2001

Confirmation No. 1304

FILED VIA EFS ON November 21, 2006

For: METHOD OF REGULATING
TRANSCRIPTION IN A CELL

Examiner: Maria Marvich, Ph.D.

Art Unit: 1633

Attorney Reference No. 7158-71254-03

SUBMITTED VIA ELECTRONIC FILING SYSTEM
UNITED STATES PATENT AND TRADEMARK OFFICE

AMENDMENT AND RESPONSE TO ADVISORY ACTION

This Amendment and Response to Advisory Action ("Amendment") is filed in response to the final Office action, dated August 9, 2006 ("Office Action"), and the Advisory Action, dated October 18, 2006. A three-month period for reply was set by the Office Action. Applicant hereby requests a one-month extension of time for response and the extension fee will be paid online concurrent with the filing of this Amendment. Thus, a timely response to the Advisory Action is filed on or before December 9, 2006. If any additional fees are required to file this Amendment, the Commissioner is authorized to charge such fees to Deposit Account No. 02-4550.

Please amend the claims as set forth beginning on page 2.

Remarks begin on page 5 and conclude on page 9.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reply under 37 CFR §1.116 - Expedited Procedure - Technology Center 1600

In re application of: Emerson

Application No. 09/781,592

Filed: February 12, 2001

FILED VIA EFS ON October 3, 2006

Confirmation No. 1304

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TRANSCRIPTION IN A CELL

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Art Unit: 1633

Attorney Reference No. 7158-71254-03

SUBMITTED VIA ELECTRONIC FILING SYSTEM
UNITED STATES PATENT AND TRADEMARK OFFICE

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AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

1/17/07 This Amendment and Response to Final Office Action ("Amendment") is filed in response to the final Office action, dated August 9, 2006 ("Office Action"). A three-month period for reply was set; therefore, a response is due on or before November 9, 2006. A reply filed within two months of the mailing date of the Office Action (*i.e.*, by October 9, 2006) receives the potential benefit described on page 8 of the Office Action. It is believed that no fees are required in connection with this filing; however, the Commissioner is authorized to charge any fees that may be required to Deposit Account No. 02-4550.

Please amend the claims as set forth beginning on page 2.

Remarks begin on page 5 and conclude on page 11.

One reference (Klug, *J. Mol. Biol.*, 293:215-218, 1999), which is discussed in the Remarks, is attached to the end of this Amendment.

DAG:jam 1/5/06 470877 S00004A
PATENTAttorney Reference Number 7158-71254-03
Application Number 09/781,592

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reply under 37 CFR §1.116 - Expedited Procedure - Technology Center 1600**PLEASE DELIVER PROMPTLY TO EXAMINER MARIA MARVICH, PH.D.****RECEIVED
CENTRAL FAX CENTER**

In re application of: Emerson

Application No. 09/781,592

Filed: February 12, 2001

Confirmation No. 1304

For: METHOD OF REGULATING
TRANSCRIPTION IN A CELL

Examiner: Maria Marvich, Ph.D.

Art Unit: 1633

Attorney Reference No. 7158-71254-03

CERTIFICATE OF FACSIMILE**JAN 05 2006**I hereby certify that this paper and the documents referred to
as being attached or enclosed herewith are being facsimile
transmitted to fax number 571-273-8300 on the date shown
below.

Name:

Debra L. Jordan

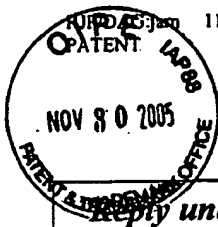
Date Transmitted:

1/5/2006MAIL STOP AF
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450**AMENDMENT AND RESPONSE TO ADVISORY ACTION**

This Amendment and Response to Advisory Action ("Amendment") is filed in response to the final Office action, dated October 5, 2005 ("Office Action"), and the Advisory Action, dated December 27, 2005. A three-month period for reply to the Office Action was set; thus, this Amendment is timely filed on or before January 5, 2006.

It is believed that no fee is required to file this Amendment; however, please charge any fee(s) (including, e.g., excess claim fees, excess page fees, or extension fees) that may be required in connection with this filing to the deposit account referenced on the accompanying facsimile transmittal sheet.

Please amend the claims as set forth beginning on page 2. Remarks begin on page 7 of this Amendment.



11/28/05 455512 S00004A

Attorney Reference Number 7158-71254-03
Application Number 09/781,592

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reply under 37 CFR §1.116 - Expedited Procedure - Technology Center 1600

In re application of: Emerson

Application No. 09/781,592

Filed: February 12, 2001

Confirmation No. 1304

**For: METHOD OF REGULATING
TRANSCRIPTION IN A CELL**

Examiner: Maria Marvich, Ph.D.

Art Unit: 1636

Attorney Reference No. 7158-71254-03

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AF, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Name: Debra A. Andem

Date Mailed November 28, 2005

MAIL STOP AF
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

This Amendment and Response to Final Office Action ("Amendment") is filed in response to the final Office action, dated October 5, 2005. A three-month period for reply was set; therefore, a response (without extension fee payment) is due on or before January 5, 2006. This Amendment is filed within two months of the mailing date of the Office Action (*i.e.*, by December 5, 2005) and, therefore, receives the potential benefit described on page 7 of the Office Action. It is believed that no fees are required in connection with this filing; however, the Commissioner is authorized to charge any fees that may be required to the deposit account referenced on the accompanying transmittal letter.

Please amend the claims as set forth beginning on page 2.

Remarks begin on page 8 of this Amendment.